

TRANSPORTATION COMMISSION MINUTES



MEDFORD
OREGON

May 25, 2022

12:30pm

411 W 8th Street, City Hall, Room 330

Medford, OR 97501

Call to Order: 12:32pm

10. Roll Call

Commissioners Present:

Dennie Conrad
Tyler Jasper
Kim Parducci
Peggy Penland
Jared Pulver
Suzanne Schroeder
Jason Stranberg
Paige West

Commissioners Absent:

Jay Harland, excused

Council Liaison Present:

Councilmember Sarah Spansail

Staff Present:

John Vial, Public Works Director
Matt Brinkley, Planning
Karl MacNair, Public Works
Lorraine Peterson, Public Works
Debra Royal, Public Works

20. Approval or Corrections of Minutes of March 23, 2022

There being no additions or corrections, the minutes of the March 23, 2022 meeting were approved as presented.

30. Oral Requests and Communications from the Audience

None.

40. Action Items

None.

50. Discussion Items

50.1 Multimodal Improvement Study for Downtown Streets (Main and Hwy 99)

Mr. MacNair made a PowerPoint presentation overview of the study.

The reason for the study is that there will be overlays, pavement maintenance, and restriping on Main and Riverside in the next few years. Staff does not have clear direction on how to design the striping for these streets. The 20-40 Vision Plan, the TSP, the Liberty Park Neighborhood Plan, and the Rogue Valle Active Transportation Plan all call for installing bike lanes and multimodal facilities on these streets. There is not a standard cross-section, so staff felt more direction was needed. Kittleson and Associates was chosen to do the study and develop a concept design for these corridors to enhance the cyclist and pedestrian environment. It will determine what type of facility will best improve the safety and comfort for safety design for all cyclists, walkers, and rollers, while maintaining adequate vehicular traffic flow.

There will be a Walking Tour prior to the Open House on Wednesday, June 2 at 6:00pm. The Tour is for the Transportation Commission, City Council, and the Bicycle and Pedestrian Advisory Committee. It will be at 1:00 on June 2.

The commissioners and Councilmember Spansail asked a few questions regarding the Open House, the consultant's work, scoring, public feedback, and costs. Commissioner Pulver was concerned about the probably small sample size of public input and stressed that key individual's input should carry more weight. Mr. MacNair said that all feedback from City entities as well as the public will go into the planning. Mr. Vial explained that this study is different. Usually staff has a pre-determined idea of what the facilities should be, but a broad spectrum of ideas is needed.

Chair Conrad mentioned San Diego's similar efforts and that there were many unintended consequences. Mr. Vial agreed and ensures the impacts will be looked at carefully, and this is why Kittleson's assistance is being sought.

Commissioner Pulver said that consistency in the facilities is need. His concern is the need for weaving in and out of lanes. Mr. MacNair confirmed that consistency is important. He also asked why the two-way scenario is on the table. Mr. MacNair said the two-way scenario will allow users to

choose Riverside or Central. Commissioner Jasper offered that the City shouldn't be fearful. If the goal is to make downtown more walkable, parking impacts should be expected.

50.2 Climate Friendly and Equitable Communities Rulemaking Update

Mr. MacNair discussed the Department of Land Conservation and Development's (DLCD) new rule. It was conditionally approved last week by the Land Conservation and Development Commission (LCDC). There were many changes to the rule from the version the Transportation Commission discussed in March. Specifically, dates were changed and two options were presented: 1) a faster implementation and 2) a slower implementation.

Medford staff still has significant concerns about this adopted rule. One is that jurisdictions must reduce vehicle miles traveled and move away from traditional level-of-services or volume of capacity performance measures for standards for intersections, but we do not currently have the tools to set or measure the new standards.

Transportation Issues: The new rule limits projects Medford can add to the Rogue Valley Metropolitan Planning organization's federally required Regional Transportation Plan to those that are financial constrained in our TSP. This is fine for new TSPs, but is a major concern for older TSPs.

Land use was discussed by Mr. Brinkley. He said there are many, many concerns that staff has to this rule. There were some incremental improvements, but there was only a week to look at it before the LCDC approved it.

They had proposed leaving only 14 feet for two-way travel. When the Fire Chief testified regarding the Alameda fire and the need to simultaneously evacuating citizens and allowing for First Responders to coming into the area, that portion of the rule was changed.

The rule has significant issues regarding Land Use such as the establishment of Climate Friendly Areas (CFA) – mixed use, high density, and walkable areas. This can be done in downtown Medford but there may have to be CFAs in other areas of the city. There are also many rules that apply to what you can and can't do in CFAs. There are land use rules that now apply City-wide. They will change the way we do site development. Example: there will be no parking between the right-of-way and the front of a building. Buildings will all have to have primary entrances oriented toward the public right-of-way. Even in places like Highway 62. The requirements apply regardless of urban context. Those are the big land use issues. December 31, 2023 is the deadline to name the CFA and it must be adopted a year later along with all of Medford's land development code amendments. This will take up a lot of the long-range planning time in the next year, which was not anticipated.

A significant part of rule deals with parking. Option A will be to eliminate minimum off-street parking requirements City-wide. Option B is to price all on-street parking. This will be a burdensome,

expensive task. The Parking plan has to be done over the next year. Commissioner Jasper offered that the general feeling in the Parking Committee is that they would support Option A.

Mr. Brinkley said the TSP will have to be updated by 2029. The last update cost between \$500,000 and \$1,000,000. The costs will be increased by 50%-100% to compete a TSP. The amount of public outreach will rise significantly with this new rule in place. If we have to add Transportation facilities that add capacity, we will have to go through a process to update the TSP that is a lot like a NEPA process. This will make it more lengthy and expensive. We do not have the tools to do all this. For a growing metro area, this is an experiment and it will be very challenging.

Commissioner Pulver asked about pushback from other cities and if the objection is still ongoing. Mr. Brinkley said the rule has been temporarily adopted. They were reacting to comments at the hearing, and the Commission was a bit surprised that the rule had not been revised to reflect some of that. We don't know how much ability there is to change the rule. The final rule will be looked at in July, so technically, the record is still open, but realistically, there is not much opportunity to make changes.

Commissioner Pulver asked if this body even has the jurisdiction to make these rules. Mr. Brinkley said they do, but they do not have authority over the federal government. There are different avenues to address the matter. Litigation has been discussed by a number of stakeholders. When the rule is applied, there are potential legal challenges, but that will not happen for years.

Commissioner Stranberg asked if there has been discussion of the City joining litigation. Mr. Brinkley said staff has not discussed it. The new rule will require an FTE to handle the ongoing work and Planning does not have the staff at this time.

50.3 Utility Fee and System Development Charge Increases

Ms. Peterson made a presentation regarding the results of a fee study that was conducted by the FCS Group regarding updating utility fees and System Development Charges (SDC) to bring them in-line with the current costs of building and maintaining the City's infrastructure. The FCS group assessed all the SDC and Utility fees charged by the City. Today, Ms. Peterson is only presenting on the transportation fees. The study looked at changing the methodology of assigning fees. The results of the study were presented to Council earlier in the month.

A Utility Fee is a monthly charge assessed to all City residents and businesses. The City does not include Capital Projects in Utility Fees. The last street fee increase was in 2017. The consultants' recommendation is a 6% increase for the first four years and a 5% increase in year five. Currently, residential customers are paying a higher rate than commercial customers. The FCS Group recommended the same rate should be used for all customers. Also, they recommend that the City change its methodology from the industry standard of using the Institute of Transportation

Engineers trip ends as a basis for the street fee. Changing from Medford's current methodology to the industry standard resulted in huge swings to the Utility Fee. That is not fair to customers.

Since 2017, inflation, ADA ramp requirements, the cost to pave a lane per mile has doubled in large part due to the cost of asphalt, and personnel cost increases are making the increases necessary. Additionally the City's pavement condition index has fallen from 76 to 72. This decline needs to be stopped to stabilize and get it back to where it was.

Staff is charged to develop options that will be brought before Council at the September 15 meeting. We agree with the consultants' recommendation that a 6% increase is needed, overall, but we need to minimize the largest increases to a small number of customers. If Council approves one of the options, it will be implemented in July 2023.

The SDC fees are one-time fees assessed to a builder or developer who is constructing a new building or development. The purpose of the fee is to help recover the cost of creating new infrastructure to support the additional use the new construction will create. There are two parts 1) City construction a street when growth is anticipated and 2) improvement fees are set aside to be able to create a new street or widen an existing street to accommodate growth.

The TSP helps determine what SDC fees should be. FCS took all the Tier One projects and 50% of the Tier Two projects and the consultants modeled these for the ten-year span of the study. They developed an SDC fee per single family home of \$4,500. Currently the fee is \$3,100. Medford's current fee is very low compared to other Oregon Cities. Medford's proposed SDC fee is in the middle.

There is also a methodology change recommended. Currently, Medford's Street SDC Fee is calculate on a cost per lane per mile. The recommendation is to move to the industry standard of projects that increase capacity.

The options for Council on September 15 to vote on will be 1) implement the newest SDC fees effective July 1, 2023 and 2) phased in with 1/3 of the increase being effective October 2022, the second 1/3 implemented July 2023, and the final third would be July 2024. The Legal Notice will be posted for comment prior to the Council meeting.

Chair Conrad asked about the three pronged approach the Commission had discussed previously, which included a local gas tax as well as SDC and Utility fee increases. Mr. Vial said the gas tax discussion was to pay for projects. This is just looking at the Utility and SDC fees. The discussion about a potential gas taxes still needs to happen. This rate increase takes care of some of the need of the three pronged approach. Chair Conrad recalled there was a lengthy discussion about the three pieces. He asked if the conversation has shifted from project funding to maintenance and upkeep.

Ms. Peterson clarified that even though Tier One and Two projects are part of the discussion that the only portion that increase capacity and would be funded by SDCs. All the projects are discounted as some are going to be funded in large party by the gas tax or through grant and funding options.

Mr. Vial clarified that we are talking about two different things. The first discussion is how we address the large projects that are in the TSP that we do not have funding for. We had a strategy as to how we could raise revenue to do this. This study was undertaken because it had been a long time since the City had updated fees. The revenue raised from the SDCs raises a large portion of the revenue needed for those projects.

Commissioner Pulver mentioned the Utility Fee saying the structure being discussed makes it very difficult on commercial users. If we are going to ask 10% of the users pay for 50% of the cost – that can't be spread out. He urged against. Ms. Peterson agreed and shared that one of the options to be brought before Council will be to keep the current methodology and the current rate structure and just increase it by 6%. That will leave the residential customers to continue to subsidize and avoid the huge commercial increase.

Commissioner Stranberg asked if there are other factors on a development that also get assessed fees that are not related to lane/road creation. What are the aspects that go into calculating SDC Fees. Ms. Peterson said that square footage lots, number of units, and different items factor in at the beginning of a project. She clarified that the 6% is for the Utility Fees. The SDC Fees would increase to \$4,500 per building/unit.

Commissioner Stranberg added that the City needs to be careful about killing needed projects in the Valley. We are dealing with a housing issues, we've lost a number of low income homes due to fire. Even the smallest increase can impact what happens on the development side. We take the risk of killing projects that are very much needed. It is "death by a thousand cuts" and we are just looking at a sliver of proposed increases. The City needs to sympathize with some of the efforts being made.

Councilmember Spansail added that the Mayor created an ad hoc committee for the development community. Her understanding is that there has not been a lot of push back from the development community. They understand that we have to do this.

Mr. Vial has meet with a number of the members of the development community. In general, they comment that they recognize an SDC increase is needed. The SDC is the tricky one because they have to demonstrate adequate facilities. If they don't, their application is not approved. SDCs are a way to solve that problem. We collect that revenue for those capacity increasing needs. Then the City has the funds to build projects. If we don't do that, then the developer has to figure out how to do that themselves. Therefore, most builders recognize that SDCs are necessary. That is spreads the cost across everyone instead of sticking one developer with the problem.

60. Commission Remarks and Committee Reports

Commissioner Schroeder shared that BPAC discussed the restriping of Riverside, primarily a two-lane bike path on a one-way street. June 1 is a Walking Tour and Open House. There are new bike lanes planned on Juanipero. Parks Department reported a delay for the Aquatic Center due to a wetland issue. Last week was "Go By Bike Week" sponsored by RVTB. There was an online open house for "Envision Bear Creek" and public comments are closed.

Commissioners Schroeder and Pulver discussed the safety levels for cyclists. Commissioner Schroeder talked about "Taking the Lane" and that it takes a more aggressive cyclist to perform the maneuver and that it is a competitive move with the cars.

Commissioner Jasper shared that the Parking Committee did not meet in May.

70. Staff Reports

Mr. MacNair shared that 90% plans were turned in in April for the Foothill BUILD projects. That include 536 sheets. There is 250 more to go. This number is just what Public Works Engineering was responsible to complete. ODOT and consultants are doing some as well. Final plans are still being worked on with a submittal date of mid-July. The bid date is November 2022 with construction scheduled to start next year.

Mr. MacNair added that Engineering has been working with ODOT staff through the Exit 27 Alternate Mobility targets. It is still a moving target. We will likely be coming back to the TC with an update.

Mr. Vial added that last week, Council approved the last right-of-way for the BUILD project. All 60 properties have been purchased for just short of \$3M. This was a tricky one. A residence right across from Cedar Links. We took out their septic system, so we attached them to City sewer. It was complicated, but it was the last one.

80. Agenda Build

80.1 CIP Project Delays Resulting from BUILD

Mr. MacNair said BUILD has caused other project delays and they will be discussed next month including Exit 27. Staff will keep the Commission updated on the Main Street and Central study.

90. Adjournment – 2:06pm Next Meeting – June 22, 2022

Respectfully submitted,

Debra Royal, Public Works Engineering